James Lynn O'Hinas 197067 *
aka Jackson Malloy K86989
222 6th Ave.
Alcajon Ca. 92020.
- Calif state ID card. - *

James Lynn O'Hinas 197067
ASPC Florence Eymm Complex Smart
Box 3400 I D 40
Florence Az 85232

FILED
JUN 13 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

'08 CV 1088 LAB AJB

vs.

Depu. Warden Tom Bijns — Federal Tort Claims Act.
Warden John Moreno — 28 USCA § 2671 - 2680.
Dir of Corr. Dora B. Schriro — 85 Am Jur 2d FTCA §
Gov. Janet Napolitano — § 1 at 246 (1967);
Gov. Arnold Schwarzenegger — incl. Judges.
and ... — Motion(s) for F.R.Civ.P.
Calif state Atty General. — 9. F.R.Civ.P. 26.
1300 I Street Ste 1740
Sacramento Ca 95814
916-324-5437.

Claimant as petitioner : at Right claims :

1- capacity defense - as aka Jackson Malloy K86989
class action plaintiff Coleman v. Wilson/Schwarzenegger.

(2) Herzberg leslie witness protection Act

RECEIVED
JUN 13 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(3) Copyright © Criminal Infringements.

As follows: petitioner has an of Right claim by aka Jackson Malloy K86989 signature contract signed at Atascadero State Hospital to Calif State I.D. card address 222 Gina Ave Southpoint Rehab Center, El cajon Ca. 92020. for true name of: James Lynn Hinds D.O.B. 5/21/65. SSN. 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. # for San Luis Obispo civil MDO conviction and San Diego conviction case No. SCE122463. Civil and state govt agencies consolidatedly for dual supervision of parolee at large w/ amnesiac condition time of arrest Medication at Hospital Ambien 2 mg. inre: 15th U.S. Const. Amend. purposes and practices of Attorney of choice, of Right medical and/or psych evaluation treatment not to be discriminated against due to Race Religion Sex. Retro activity 2002 to 2004. from 1985. CDC History D-25748, K86989. Arrested in phoenix A.R.S. 13. 3842 (F4) parole violation.

Herzberg Leslie Witness Protection Act. Calif pen annotated approx 14000'. Any involvement at all with those involved silenced by Judge Lance Itos gag order eg. 1982 w/ sibling in Los Angeles at Rockingham Residence eg. 1994 c.10. Rom viewing in Del Mar. Calif "w/ Others". eg. 1994 · 96 · 97. Evidence simulated, supplemented as letters phone calls Dr. patient Tarasoff decision violations inre: Victims family due to inter-personal relationship and/or association to The Browns, The Simpsons, The Goldmans, The

The Jatties ... And in Entertainment Black families the Harris - Rossom - smiths. for examples Copyright 15 U.S.C.A. § 1127 Mailings in U.S. postal service prior to recordings at Capital Records Hollywood and for studios of Bakersfield Ca. from San Luis Obispo, Ca. to St. Louis Mo. for Obstructions Tour. Nichols v. Universal pictures corp. 45 F 2d 119 2d Cir 1930. Copyright Act of 1976 17 U.S.C.A. §§ 101 - 1332. Copyright Clause ... U.S. Const. I. § 8 cl. 8.

Artist as: © The Traveling Armadillas of Los Angeles Ca. Tracy Lawrence © Keith Urban ©.

And so now, claimant moves to declare succinctly that all (3) claims are "of right". For a prisoner under duress of imprisonment to exist, true and correct, under the penalty of perjury. for complete diversity jurisdiction for recovery of amount in controversy over $75,000.00, as: $307,500.00 total. For Venue and jurisdiction to be transitory Arizona to California to restore custody rights for incarcerated father w/ imminent release date, employment, college education for disabled students physical or mental San Diego City College. As signed up for in 2004. With Attendance at Student enrollment class for developmentally disabled. San Diego City college from Nelson Haven Board care Home. St. thomas of Aquinis parish 22nd street to 12th & park Blvd. Accreditation to continue at City College of choice. As a competent disabled physical citizen, Medical - Medicaid, social security exp. date 2009. pending Earliest possible Release date of: 2010 #

Fed. Rule Civil Proc 9 Pleading Special Matters.
Fed. Rule Civil Proc. 26 Duty of Disclosure

Claimant as Petitioner: ______ of Right Claim(s).

(1) Capacity Defense Calif Civil code of proc §2010. petitioner has a claim, now found competent in Arizona, as a.k.a Jackson Malloy K86489 for contract signed at State Hospital Atascadero with joint-venture Con.Rep Agencies for Attorney of choice, of Right medical and/or psych eval treatment, not to be discriminated against due to race, religion, sex. Retro-actively to 10-7-04. to Now.

(2) Hertzberg-Leslie Witness protection Act Calif penal code annotated: 14000.1-24 approx. Any involvement at all with "those involved", at the scene 1982 of The Rockingham Residence, 1994 CD Rom viewing in Del Mar Calif, evidence simulated, and or supplemented, letters, phone calls, information as to family or/and associations to family of "The Simpsons" "The Browns" "The Goldmans" "The Jaffes".

(3.) Copyright © and Criminal Infringement. 15 U.S.C.A § 1127 poor mans copyright sent in U.S. postal mail service prior to recording at Capital records Hollywood from San Luis Obispo to St. Louis Mo. Abstractions Test Nichols v. Universal pictures corp. 45 F 2d 119 2d Cir 1930. Copyright Act of 1976 17. U.S.C.A §§ 101-1332 ... Copyright clause U.S. Const. 1. § 8 cl. 8.

Artist as: Keith Urban.© Artist as Tracey Lawrence© or Tracy Lawrence © Country & Western Music attorneys: Red Stovall of Bakersfield, Kenneth S. Countryman of Phoenix Az

c.c.

After acquired evidence Doctrine. Case at Law: § McKennon v. Nashville Banner publishing Co. § 513 U.S. 352 115 S.Ct. 879 1995.

No. 2.# Claim. No. 3.# Claim

No 1.# And, Claimant declares succinctly that an "of right claim exist" true and correct, under the penalty of perjury for complete diversity jurisdiction for recovery of amount in controversy over 75,000.00 as 307,500.00 total. for Venue and jurisdiction to be transitory Arizona to California to restore Custody rights, employment, college enrollment education, (San Diego City College disabled student enrollment or/and Santa Barbara City College) Medical-Medicaid Benefits, social security payments because: Calif State I.D. card list address in California until 2009. and interstate flight occurred on parole by computer retro-actively with plaintiff and defendants. And under age child, "contract for custody" was signed while incarcerated in California w/ peter deddah, # assoc for Church of (Latter Day Saints), of Jesus Christ of Latter Day Saints, Salt Lake City, Utah to assume responsibility for presumed daughter June of 1999 # October of 1999 at Corcoran IV A S.H.U. State prison, Corcoran, California pre- F.S.P. to San Luis Obispo Ca. for civil M.O.O. 2004 San Diego to Phoenix Az. U.S. Const. 1 at § 10. (Eg). Erie v. Thompson 304 U.S. 64 58 S.ct 817 (1938). Federal ? = substantive state law.

"Conflict of Interest": Post Conviction Rule 32 State of Az. "Brenner House" of Kenneth S. Countryman P.C. case No.# CR2004 129044001 DT Judge Peter Deddah & Asoc. for Keith Urban © Red Stovall atty San Diego Ca, & Bakersfield (adjacent to King's County California) Ca. Corcoran IV A S.H.U. 1999 pre-post phoenix, Az. california case No. "SRF122463 4501-5 (P.C.) succinctly: Battery non-prisoner and aggravated assault.

Imminent Dangers? Both cases arrested at Hospitals. 1998 - 2004 pre-post U.C.S.D., Atascadero, Good Samaritan Hospital w/ serious physical injuries. O.J. Simpsons stolen property and petitioners claim are synonomous. for example: As follows: Seminoles Mothers, Greenville, Fl. Gainsville, Fl. ©. Traveling Armadillos 4.

Football Memorabilia — Hockey Memorabilia

ring, trophy, cards... — St. Louis Blues &

property of petitioners brother.

children. — Christens Daniel Hines.

↔ Home address.

Contract entitlement. — 1959-62 Grand Old Opry photographs Mother - Father cousin - Uncle Dolly Parton Freddy Hart.

House. — HillTop Records

© Songs & lyrics 1985 to 1990 - 97 - 2004 Calif, Ariz '70s '80s

↔

Job. — Jimmy Lee ©. (petitioner) Nashville, T

Scientific forensic's of similarly evidentiary factors:

Bi-racial family ↔ Black niece and nephew

Security System anticipated place of

ADT, Westinghouse, parole Lancaster Los

Pinkerton, Valentine Angeles, Silver City N.M.

Kline-Smith. audio - Colbert family.

video - computer to

police CO Rom Fire Dept. ↔ 1018 Bompart Ave

Webster Groves Mo.

Rockingham address ← installed by Jaffe Inc.

Wilshire Blvd Los

Linda Kowolski Angeles Bruce Valentine.

St Louis Mo - San Diego Ca. cousin.

Black Mercedes Benz 360 SL

of Dr. Michael A Jaffe MD. ↑→ Rockingham Church

Inc. in Los Angeles. Ca Webster Groves Mo.

borrowed car

↑ → Linda Kowolski (cousin)

Maplewood Mo. 1988 * 1981* Reel to Reel

Video camera Appliance Shop projection film window to

Blood spots ↑ Furman / Mike M. window 1022 Bompart Ave

↳ approx to 1018 Bompart Ave

Dr. Michael A Jaffe MD Inc.

Del Mar dalit Hazel Street Maplewood Mo.

Computer, Big screen T.V. A/D. /W knife "Billy Bennet"

C.O. Rom "Billy Fitzgerald" alleged victim

↑ ↳

Del mar 1994 petitioner views co.*

= 3 Non Jude Ladders x2 Ladders

"Thump on the Wall" ↔ Approx 1996 Florida & Lincoln F Street polno xxxx area cottages "thump on Wall" San Diego Ca.

Brentwood Calif.

"Night of Homocides."

"Auto Body Detail Shops" Location for Black Mercedes 360 SL detail after alleged accident w/ Ms. Kowolski family ... San Diego Guitterrez-Kowolski 17th Broadway "Golden Hills Nieghborhood".

petitioner w/ girl friend Ms. Jody Fitzgerald.

↔ D & L. Auto Collision place of arrest pre-miranda rights at Good Samaritan Hospital phoenix, Az.

Survillence for C.D. Rom soft disc or hard drive ↔ at Brentwood Ca.

Television survielleance Kletwalski productions Dutch Schultz productions Golden Hills Board & Care 22nd Street to 1223 Grand & 1300 W Pierce phoenix Az 18 USCA § 2510; 2520 from East County San Diego Ca into prison from prison and State Hospital.

Geico Allstate Prudential.

Attorney Kenneth Smith Countryman private counsel (p.c.)

private ← residence of petitioners family Welsh Mortgage

Scotch Marriage. Willed to plaintiff 1989*

Calif Medi-cal Medi-caid exp. 2009.*

Obstructed by LDS Network. → Webster Groves Mo 100yr Smith House

Norwalk California 1982 <—> Bloomfield Ave.
Underground computer Terminal Rosecrans Ave
Bloomfield Ave and Rosecrans Ave. Shoemaker Ave
Norwalk Manor Condominiums Rosecrans Ave.
* Briefcase in Garage <—> Condominiums/pools
replacement songs, & poems petitioners address.
Attorney Red Stovall Esq. of Bakersfield Ca. 1982. #
Cantor-Fitzgerald CCPOA union

St. Louis Mo. Stolen car accident <—> typed up at
* Briefcase inside DUI GTA. petitioners address
w/ drug paraphenalia song lyrics/poems. 1018 Bompart Ave
w/ copies type written police impounded. Webster Groves Mo
Narcotics Squad Lt. Mark Dougherty 1988-89. #
Victo Corona Sgt.

D & L Auto Body * Briefcase w/ songs <—> location of
77 poems & lyrics stolen by alleged victim aggravated
Security guard Edward Quintana Hernandez assault case
Book of Mormon & family photographs. 2004 petitioner
property of petitioner. arrested at
Hospital 2004 *

— Autos / Trucks. —

Capt. Dan Hagon Black Truck. re-make. cor de oro
Capt Larry Hissong Brown/white Van GMC <—> Del Mar Calif
Bi-racial female all in Del Mar Calif Gray Twin Condos
Hinc Pontiac & Brown cadillac CO Rom Homocides.
Mission Valley San Diego Calif U.S.A. <—> "Night of Witnessing"

Black Cadillac El Cortez niegbborhood. Male
polish <——> Escort
White Cadillac " 1991-92. " Services
Irish <——> to Both
video xxx
SDPD Homocide Det. 1996-97 <——> Brown vs. white
Jim Howie Embassy Suites Hotel Indian - Irish.
adjacent to family Grocery store job. old & Young
Henry's Mkts' to P+ homa and
sexual contact visual & oral. drugs purchased to
w/ wife parole agent Maureen Pelten. <——> discredit (cocaine).

Capt. Ruiz SSU squad. I-44 Underground. <——> 1990's
to Missouri Union pacific railroad. L.O.S.
from Flagstaff Az. Home address of: Henderson -
Mason street & Bompart Ave. <——> Stewart -
Wagner.
Sheriff Joe Arpaio family Key to 100 yr. old
aka "The Smiths." Smith family
Howard Park/North Park San Diego property.
1972. Soft Ball polish v. Irish.
<——> 1972 w/ father
Telephonic surviellance systems. J. Daniel Hines
Kenneth Smith Countryman P.C. nephew of Joe
office Rockingham Brentwood. Arpaio. pre-Viet
Webster Groves Mo. Barnickle park. Nam broke arm w/
in cell at Florence State prison. baseball bat.
polish. vs. Irish.

At Florence State Prison ⟷
Sheriff Joe Arpaio family.
w/ electronic surveillance TV
computer. as in Decatur Il.
1974 * 18 USCA 2510 § 2520.
Illegal interrogations
audio - video. computer - satellite.

Protestant - Jewish
Peter Deddah's daughter
Volunteer Force
Salvation Army. ⟷
female % SSU agent
Ventura - Oxnard. Parole Dept.
In possession of tape CD/Rom ⟷
Del Mar Calif. South St. Louis Mo.
Arsenal street area sexual contact w/
possible pregnancy (1984 - 1985. '83)
McNamara aka Larry Carey Viet Nam Vet.

petitioner Smutt.
ear canals
ear drums
titanium tubes
to stop infection
telephone wires in
wall of cell to
vent. wireless
surveillance by
computer & fuse.
Sonar / senor.

Irish Catholic
Tommy McNamara
of Harrah's Las Vegas
God father.
petitioner is
God son.
St. Ignatius.
James Lynn Hines.

Calif to Ariz. ... ...
{ In Custody Rule Violations }
In Custody Classification

Buckeye to Florence Az. from Alhambra Reception center.
Escalation of seriousness.
Community Supervision consecutive 10. mos. upon parole.
Need for preliminary injunction for Federal transfer.
Restitution of time credits for contradictions (eg.).

pinkhanda

Colombian
Mississippi
Samoan
Adey.

Interactive social
attack Blacks
racial / colors

Biker / mormon
gay

Samoan
Biker
San Diego
Samoan
CDS

ortho prosecutor
occult activity
VF vs. Irish catholics.
prot. jewish
mormon
CDS

C. Martinez Hernandez Gutierrez
Baseball softball
House park
North park
Armstrong vs Louisville slugger
Grey pajerolli
Bobby Boggs

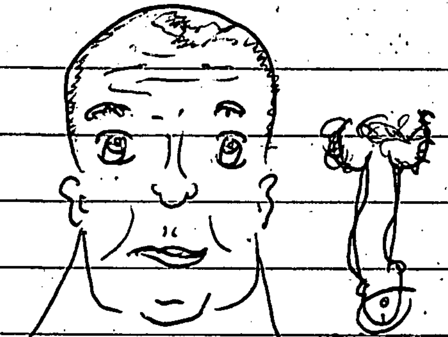
Reverse Racial
(1985)

1988.
arrested by
All ... / no
threat ?
Yes - Answer

Zing
3 ing

Occult acting

HIV+ Sexual Antisocial Dysfunctional Region IV Parole C/os.



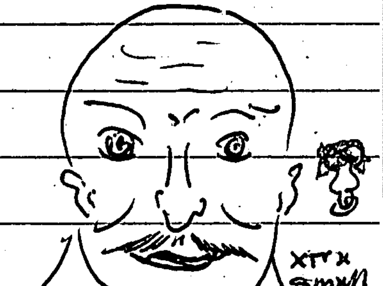
Pierced

C/o Gallagher Impotent

pierced —

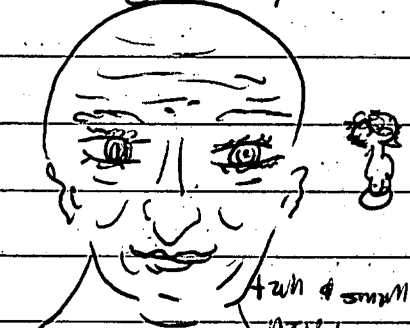
Tim Howie

Hormones damaged



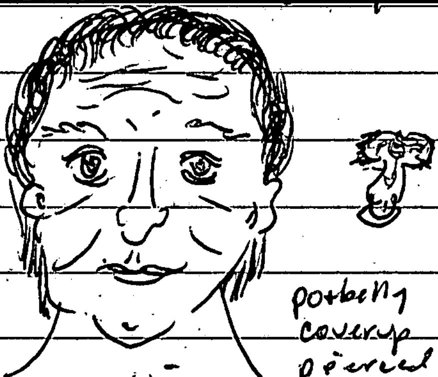
xtra small 2 in

C/o Dan Hagan



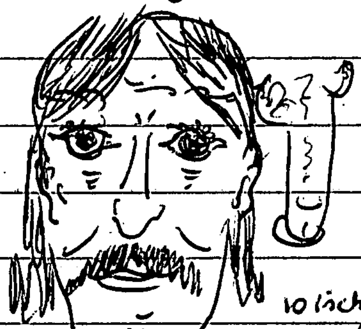
twn & small HIV+

Eric J. Pierson pierced



potbelly coverup pierced —

Larry Nissong



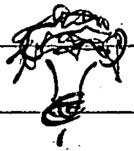
10 inch pierced

C/o Chris Wagner

Dutch cut

average 3 to 5 in

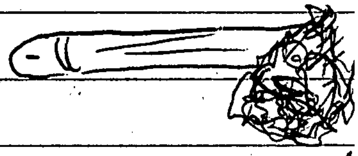
The Elzy family pierced



1/2 to penis head

3 to 5 piercings through head.

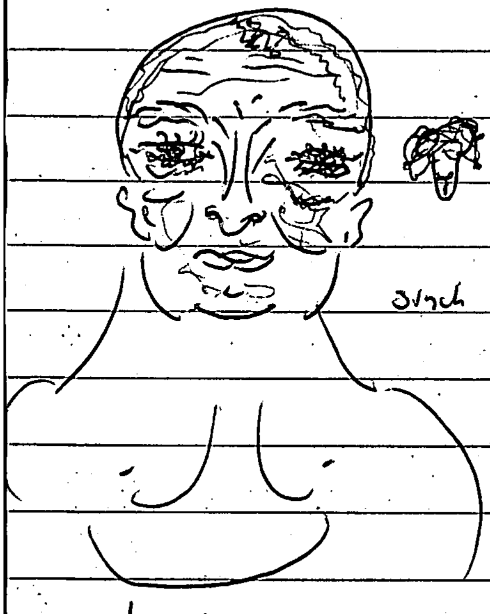
Joel Gray



12 10 inch pierced

"Travelling Armadillo"

C/o Red Stovall. Esq



3 inch

Lt Mcenroe

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

FILED

JUN 13 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

I (a) PLAINTIFFS

James Lynn O'Hines

DEFENDANTS

Toers-Bijns, et al

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

James Lynn O'Hines
PO Box 3400
Florence, AZ 85232
197067

ATTORNEYS (IF KNOWN)

'08 CV 1088 LAB AJB

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)

☐ 1 U.S. Government Plaintiff
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX (For Diversity Cases Only) FOR PLAINTIFF AND ONE BOX FOR DEFENDANT

	PT	DEF		PT	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated or Principal Place of Business in This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business in Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

28 USC 2671

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment &Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
- ☐ 153Recovery of Overpayment of Veterans Benefits
- ☐ 160 Stockholders Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Eiectmant
- ☐ 240 Tort to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury

PERSONAL INJURY
- ☐ 362 Personal Injury- Medical Malpractice
- ☐ 365 Personal Injury - Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/Accommodations
- ☐ 444 Welfare
- ☐ 440 Other Civil Rights

PRISONER PETITIONS
- ☐ 510 Motions to Vacate Sentence Habeas Corpus
- ☐ 530 General
- ☐ 535 Death Penalty
- ☐ 540 Mandamus & Other
- ☑ 550 Civil Rights [checked]
- ☐ 555 Prisoner Conditions

FORFEITURE/PENALTY
- ☐ 610 Agriculture
- ☐ 620 Other Food & Drug
- ☐ 625 Drug Related Seizure of Property 21 USC881
- ☐ 630 Liquor Laws
- ☐ 640 RR & Truck
- ☐ 650 Airline Regs
- ☐ 660 Occupational Safety/Health
- ☐ 690 Other

LABOR
- ☐ 710Fair Labor Standards Act
- ☐ 720 Labor/Mgmt. Relations
- ☐ 730 Labor/Mgmt. Reporting & Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Empl. Ret. Inc. Security Act

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (13958)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS - Third Party 26 USC 7609

OTHER STATUTES
- ☐ 400 State Reappointment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce/ICC Rates/etc.
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 810 Selective Service
- ☐ 850 Securities/Commodities Exchange
- ☐ 875 Customer Challenge 12 USC
- ☐ 891 Agricultural Acts
- ☐ 892 Economic Stabilization Act
- ☐ 893 Environmental Matters
- ☐ 894 Energy Allocation Act
- ☐ 895 Freedom of Information Act
- ☐ 900 Appeal of Fee Determination Under Equal Access to Justice
- ☐ 950 Constitutionality of State
- ☐ 890 Other Statutory Actions

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

☐ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appelate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT: ☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23 **DEMAND $** Check YES only if demanded in complaint: **JURY DEMAND:** ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE Docket Number

DATE 6/13/2008 ~~SIGNATURE OF ATTORNEY OF RECORD~~

[signature]